



Flex Assessment Cover Sheet



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Jennie Vira
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Ethical Social Work Practice
SOWK 13006

Two girls, aged 10 and 12 years, have been removed from their natural mother's care as they had been chronically neglected and were physically harmed by the mother's new partner. The girls have been temporarily placed with emergency carers. The mother did not contest the case and the Children's Court Magistrate has placed the girls on a 2 year Child Protection Order. The natural father of the children has had irregular contact with the girls over the last 5 years. He has been in prison a couple of times in those years, for possession of drugs. He has expressed a wish for the girls to live with him. His current partner and children are not happy with this idea and his own daughters have expressed their fear of him.

The previous Child Safety Officer had worked on placing the girls with a lesbian couple who have been approved as general foster carers. The couple has a 4 year old daughter. The girls have had several meetings with the carers and are happy to be placed with them.

The new Child Safety Officer, however, is considering placing the children with their natural father because of her religious convictions in which homosexuality is considered immoral.

Day to day work as a Child Safety Officer (CSO) has the potential for many ethical dilemmas to arise. This paper is a discussion of one such dilemma. As a social worker, the AASW Code of Ethics ^(Sec 4) plays an important part in guiding the decision making process during times of dilemmas. The following is a discussion of how the AASW Code of Ethics is able to guide my practice in the case of a placement for two young girls. Various sections of the AASW Code of Ethics will be discussed, highlighting why they are important in this particular case.

THE DILEMMA

This dilemma has come about because of personal values held by myself, the child safety officer in this case. The case was originally being looked after by another child safety officer who had been working to place the girls with a lesbian couple. I am now looking at placing the girls with their natural father, his new partner and children instead. The people involved in this case can be identified as the two girls, aged 10 and 12, their natural mother and her new partner, their natural father and his new partner and children, the lesbian couple who are approved foster carers with the Department, their child, the previous child safety officer, myself as the current child safety officer, and my supervisor and other colleagues within the Department. ^{Because of the legislation and} In this case, I consider the two girls as the clients and the ones whose best interests should be maintained. They have already been removed from the care of their natural mother and this was not contested. They are now part of a two year protection order, so the ultimate goal is to ensure their safety and wellbeing for this period.

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AASW CODE OF ETHICS

As a social worker, I am aware of the AASW Code of Ethics^(date) to which I refer when faced with an ethical dilemma. The code of ethics can then be used as a guide to help determine an outcome. With regards to the above dilemma, section four refers to ethical practice, and it is here that I turn to first. Most of the Code of Ethics will be relevant in any situation, however, for the purpose of this paper, and limited word count, I have chosen to highlight those areas that I find to be of most importance in this situation.

Section 4.2.1^{of the code} states "social workers will maintain the best interests of clients as a priority, with due regard to the respective interests of others" (AASW 2002, p. 14). As a child safety officer, my priority lies with the two young girls. They are my clients. Others have an interest in this case however, as discussed above. The girls³ natural parents, new partners and children of the parents, the lesbian couple, even the previous child safety officer from this case, colleagues and my supervisor all play a part.

THEORIES

The options here for these girls are to be placed with their natural father and his new partner and children, or with the lesbian couple, previously screened and approved as foster carers with the Department. I identify my own religious convictions and the belief that homosexuality is immoral. This creates an instant desire to place the girls with their natural father. The purpose of consulting the Code of Ethics and clearly identifying all aspects of this dilemma then, is to ensure that at the end of the day, wherever the

could the worker also be motivated to restrict children's relationship with a natural parent as per current legislation?

sisters are placed is in the best interests of the children, and not based on my own values and morals. The underlying theory that can be identified here with regards to the ethical decision making in this case can be seen as utilitarianism, or consequentialist theory. "An act is morally right if and only if there is no other act the agent could perform instead that would produce more good" (Tong 1993, p. 15). This means that when faced with a decision, such as in this case, where I need to decide where to place the girls, all options need to be considered, and the choice that provides the most good for the girls should be the one that is chosen.

The natural mother did not contest when the girls were removed from her and her partners care, and there is now a child protection order in place for two years. The girls are currently with emergency carers awaiting placement. As a child safety officer, the

✓ Child Protection Act 1999 is the legal framework under which I work (Queensland Government 2007a). It is important for me to understand not just the Code of Ethics under which my profession works, but also that the organisation will have ^{its} own policies and procedures and also that much of the time, there will be a legal framework that I should also be aware of.

filed to relevant section of the Act

Refer to Dept Child Safety (Qld) policy here. (I see it is referred to here)

Section 4.4 of the Code of Ethics discusses my responsibilities in the workplace and states "social workers will carry out the stated aims and objectives of the employing organisation, agency or service contractor, consistent with the requirements of this Code" (AASW 2002, p. 19). This means that I need to look at the specific policies and procedures relating to my agency as well as the Code. The Department of Child Safety is "dedicated to protecting children and young people who have been harmed, or at risk

of harm” (Queensland Government 2007b). Along with following the Code of Ethics for my profession, I need to ensure that the protection of the children are my main concern.

In times past, child protection often meant removal of the child from their family. According to the Department of Child Safety, this no longer happens most of the time, and instead, the practice today is to work with the family so that the children do not need to be removed (Queensland Government 2006). In this case, the children have been removed from their natural mother and the case was not contested. The natural father, however, has expressed a desire for the girls to be placed in his care. This would be consistent with current policy. Having said this, there are other concerns that will need to be addressed prior to placing the girls with their natural father.

Concerns here are that the girls father has had irregular contact with them over the last five years and has been in prison for drugs ^{possession} a couple of times. Furthermore, his current partner and children do not share his wishes for the girls to be placed with them. Finally, the girls themselves have expressed their fear of him. My first thought is what if the father returns to prison during the two year protection order. His partner and children have already stated they don't want the girls there, would this place them in an unacceptable situation again? Could the partner and children cause problems if the girls were placed there?

SELF DETERMINATION

Section 4.2.3 of the Code of Ethics discusses client self-determination and states “social workers will promote the self-determination and autonomy of clients, actively seeking to

enable them to make informed decisions on their own behalf (AASW 2002, p. 14). The girls have already met with the prospective foster carers and are happy to be placed there. They have also expressed their fear of their natural father. This section of the Code of Ethics also fits in with the United Nations Convention on the Rights of the Child (UNCRD) which is adhered to as part of the policies within the Department of Child Safety. Article 12 of the ^{Convention} ~~rights of the child~~ states that children capable of expressing their own view should be freely allowed to do so in matters that affect them, and must be given the opportunity to be heard in any proceedings that affect them (Office of the United Nations High Commissioner for Human Rights 1990). At the age of 10 and 12, I believe that they are old enough to have an opinion as to where they are going to be placed. As already mentioned, they have met several times with the foster couple and are happy to be placed there. They have also expressed fear of their natural father. The Code of Ethics and the rights of the child clearly express the requirement for me to take this into account.

The AASW Code of Ethics also discusses conflicts of interest. In the above situation, in consultation with the Code of Ethics, I have been able to identify various conflicts of interest. Firstly is my own religious convictions where I see homosexuality as immoral. I have identified this as having the potential to influence the decision as to where the children will be placed. At this point in time, I have the option of placing the girls with their natural father or the lesbian couple, previously approved as foster carers. The Code of Ethics has advised that in times like this, it is necessary to "identify the conflict of interest, declare it to the relevant person or authority, and take appropriate action" (AASW 1999, p. 23). This means that it is necessary to discuss this case with my

supervisor and advise of the conflict I have with my own religious convictions, resulting in my personal desire to not place the children with the lesbian couple. I understand that by involving my supervisor, the result may be that I am no longer assigned to this case. Should I remain on the case however, it is still important to ensure that all aspects are considered before making the decision as to where the children are placed.

A second conflict of interest that may be identified are the multitude of people involved in this case that can all be identified as clients. The two girls, their natural parents and their partners and children, and the foster carers could all be considered clients in this case, and each would have their own views and opinions with regards to this dilemma. The Code of Ethics states that “the social worker should clarify with all parties whose interests will take precedence” (AASW 1999, p. 23). In this case, I have identified that the two children are the main concern and it is their best interests that should be taken into account when deciding where to place them.

My religious convictions of homosexuality being immoral means that I am considering not placing the girls with the lesbian couple. However, making a decision based on my own values and beliefs is not consistent with the guidelines of the AASW Code of Ethics. What I need to be doing is evaluating where the girls will receive the best care. The questions arises – just because the foster couple are lesbians, does that make them any less able to care for the children than a heterosexual couple? A literature review provides evidence that there is a lot of research showing that lesbians make good parents and are not any less able to provide effective care for children than heterosexual couples (Riggs, 2007; American Psychological Association, 2005; Mallon,

2007, and Brooks & Goldberg, 2001). Based on this then, it is not sufficient to rule out the lesbian couple as foster parents for the two girls simply because they are not a heterosexual couple. Evidence shows that being lesbian does not mean they are any less able to provide effective parenting. The couple have already been assessed and are approved by the Department of Child Safety as foster carers.

Finally, section 4.3 of the Code of Ethics outlines my responsibilities to colleagues, and discusses the value of other team members and disciplines experience and knowledge base. Utilising all this knowledge and experience for the benefit of the client seems good social work practice. In this case, my own beliefs may result in an incorrect placement being made. For this reason, I feel it is important to speak with supervisors and other colleagues to ensure that my values don't interfere with making the correct decision. The previous child safety officer working on this case would have made comprehensive notes with regards to the case. The lesbian couple would also have gone through various assessments and approval procedures in order to gain the departments approval as foster carers. These are all factors I will need to take into account.

MODELS OF ETHICAL DECISION MAKING

There are various models I can use to help with this decision. They are called decision making models. For the purpose of this case, the reflective model, as described by Chenoweth and McAuliffe (2005) would be the model I would use. The seven step model outlined by Hill, Glaser and Harden (1995) is a reflective model. These models require consultation with the client during all stages of the decision making process, and

as I have identified, the sisters are at an age where they should be able to have a say in their placement, so consultation with them during the entire process, and allowing for their feedback would fit in with the guidelines in the Code of Ethics and provide the best opportunity for self determination.

CONCLUSION

To conclude, this paper has not advised of an outcome as to where the girls ended up being placed. Further investigation as to the suitability of either choice is necessary. Instead, an overview of how the AASW Code of Ethics was able to help guide me in this case has been presented. Further, the policies and procedures of my employing agency were discussed in order to show how the Code is able to incorporate all aspects of the various influences on social workers in their day to day work. A brief discussion of theory and decision making models was able to identify how this dilemma could further be understood.

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